FARAD CONTINUATION SHEET.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR.

WRIT PETITION NO.4224/2005

M/s Ashok Leyland Finance Limited

...Versus...

Abdul Anis s/o Abdul Azim and another

Office Notes, office Memoranda of Coram appearances, Court's orders or directions and Registrar's order.	Court's or Judge's order

CORAM: **B.P. DHARMADHIKARI, J.**
DATED : **08.12.2005.**

1. Heard Advocate Shri Sameer Adkar for petitioner and Advocate Shri Shantanu Khedkar for respondent no.1 and Advocate Shri S.S. Sanyal for respondent no.2.

2. Grievance in short is that according to petitioner, it is a consumer, and therefore entitled to approach Consumer Forum. Said

contention is challenged by respondent no.1. The order impugned is passed by the State Forum and against it remedy of moving to National Forum is available. Petitioner is ready and willing to avail that remedy and only request is made to see that the amount in dispute should not be released in favour of respondent no.1 by respondent no.2-New India Insurance Company.

3. Under the circumstances, in view of the fact that petitioner is a Finance Company and respondent no.2 is insurer, I am inclined to grant this request. Petitioner is permitted to file appropriate proceeding before the National Forum within a period of 30 days from today. Till then parties shall maintain status-quo as on today in relation to amount in dispute.

4. In view of this order nothing survives in this writ petition. Writ Petition is disposed of

with no costs.

JUDGE

SSW